

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)		
Robert F. Rosenbluth, et al.	)	Art Unit:	To Be Determined
	)		
Application No.: To Be Determined	)	Examiner:	To Be Determined
	)		
Filed: December 1, 2003, Herewith	)		
	)		
For: Methods, Materials and Apparatus For	)		
Deterring or Preventing Endoleaks Following	)		
<u>Endovascular Graft Implantation</u>	)		

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

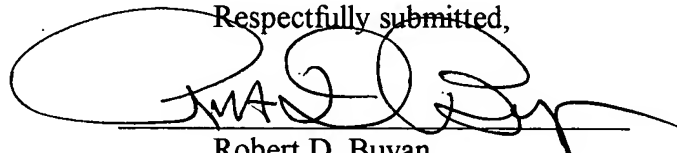
Pursuant to 37 C.F.R Section 1.56, Applicants wish to call the attention of the Examiner to the references that are listed on the attached PTO forms 1449. No copies of the references are being provided per 37 C.F.R. 1.98(d), since all of the references were cited by or submitted to the Office in parent application Serial No. 09/906,415.

No representation is made that the references disclosed herein legally constitute prior art, or that more relevant references are not available. The disclosed references are printed in the English language and/or accompanied by an Abstract published in the English language.

The disclosed references, when taken alone or in combination, are not believed to disclose nor make obvious the invention as claimed in the subject application.

Dated: December 1, 2003

Respectfully submitted,



Robert D. Buyan  
 Registration No. 32,460  
 STOUT, UXA, BUYAN & MULLINS, LLP  
 4 Venture, Suite 300  
 Irvine, CA 92618

<b>Notice of References Cited</b>	Application/Control No. 09/905,415	Applicant(s)/Patent Under Reexamination LOYD, TRAVIS W.	
	Examiner Paul A Roberts	Art Unit 3731	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,464,395	11-1995	Faxon et al.	604/103.02
	B	US-5,752,974	05-1998	Rhee et al.	606/214
	C	US-6,071,292	06-2000	Makower et al.	606/158
	D	US-6,325,000	12-2001	Furuta, Satoshi	110/229
	E	US-6,165,201	12-2000	Sawhney et al.	606/214
	F	US-6,238,403	05-2001	Greene et al.	606/108
	G	US-6,325,789	12-2001	Janzen et al.	604/506
	H	US-5,681,344	10-1997	Kelly, Patrick A.	606/194
	I	US-4,898,702	02-1990	Elkins et al.	264/145
	J	US-6,063,111	05-2000	Hieshima et al.	623/1.22
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Form PTO-1449

Docket No.: MCRVT-029A

Application No.: 09/906,415

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Applicant: ROSENBLUTH ET AL.

Filing Date: 07/16/01

Group Art Unit: 3731

**U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5785679	07/98	ABOLFATHI ET AL.			
	4512338	04/85	BALKO ET AL.			
	4140126	02/79	CHOUDHURY			
	5749894	05/98	ENGELSON			
	5695480	12/97	EVANS ET AL.			
	5769882	06/98	FOGARTY ET AL.			
	5868778	02/99	GERSHONY ET AL.			
	2001/0036451	11/01	GOUPIL			
	5895411	04/99	IRIE			
	5823198	10/98	JONES ET AL.			
	6113629	09/00	KEN			
	5980514	11/99	KUPIECKI ET AL.			
	5258042	11/93	MEHTA			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 97/48351	12/97	INTERNATIONAL				
	WO 98/51408	11/98	INTERNATIONAL				
	WO 99/05977	02/99	INTERNATIONAL				
	WO 99/59479	11/99	INTERNATIONAL				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AA	AMESUR ET AL., "EMBOLOTHERAPY OF PERSISTENT ENDOLEAKS AFTER ENDOVASCULAR REPAIR OF ABDOMINAL AORTIC ANEURYSM WITH THE ANCURE-ENDOVASCULAR TECHNOLOGIES ENDOGRAFT SYSTEM", <u>VASCULAR DIAGNOSIS AND INTERVENTION</u> , VOL.10 #9, P1175, OCTOBER 1999
AB	BAUM ET AL., "DIAGNOSIS AND TREATMENT OF INFERIOR MESENTERIC ARTERIAL ENDOLEAKS AFTER ENDOVASCULAR REPAIRS OF ABDOMINAL AORTIC ANEURYSMS", <u>VASCULAR AND INTERVENTIONAL RADIOLOGY</u> , VOL.215 #2, P409, MAY 2000
AC	GÖRICH ET AL., "TREATMENT OF LEAKS AFTER ENDOVASCULAR REPAIR OF AORTIC ANEURYSMS", <u>VASCULAR AND INTERVENTIONAL RADIOLOGY</u> , VOL.215 #2, P414 MAY 2000
AD	JACOBOWITZ ET AL., "THE SIGNIFICANCE AND MANAGEMENT OF THE LEAKING ENDOGRAFT", <u>SEMINARS IN VASCULAR SURGERY</u> , VOL12 #3, P199, SEPTEMBER 1999

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to the applicant.

(Use several sheets if necessary)

**Application No.: 09/906,415**

Filing Date: 07/16/01

**Group Art Unit: 3731**

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 00/13593	09/00	INTERNATIONAL				
	WO 00/56370	09/00	INTERNATIONAL				
	WO 00/56380	09/00	INTERNATIONAL				
	WO 00/66183	09/00	INTERNATIONAL				

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

AA	KARCH ET AL., "ALGORITHM FOR THE DIAGNOSIS AND TREATMENT OF ENDOLEAKS", <u>THE AMERICAN JOURNAL OF SURGERY</u> , VOL.178, P225, SEPTEMBER 1999
AB	KERBER ET AL., "POLYVINYL ALCOHOL FOAM: PREPACKAGED EMBOLI FOR THERAPEUTIC EMBOLIZATION", <u>AM J ROENTGENOL</u> , VOL.130, P1193, JUNE 1978
AC	LIEWALD ET AL., "INFLUENCE OF TREATMENT OF TYPE II LEAKS ON THE ANEURYSM SURFACE AREA", <u>EUR J VASC ENDOVASC SURG</u> , VOL.21, P339, APRIL 2001
AD	LOWNIE ET AL., "ENDOVASCULAR THERAPY OF A LARGE VERTEBRAL ARTERY ANEURYSM USING STENT AND COILS", <u>THE CANADIAN JOURNAL OF NEUROLOGICAL SCIENCES</u> , VOL.27 #2, P162, MAY 2000
AE	MAKAROUN ET AL., "FATE OF ENDOLEAKS AFTER ENDOLUMINAL REPAIR OF ABDOMINAL AORTIC ANEURYSMS WITH THE EVT® DEVICE", <u>EUR J VASC ENDOVASC SURG</u> , VOL.18, P185, SEPTEMBER 1999

**EXAMINER**

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to the applicant.

Form PTO-1449

Docket No.: MCRVT-029A

Application No.: 09/906,415

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Applicant: ROSENBLUTH ET AL.

Filing Date: 07/16/01

Group Art Unit: 3731

**U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 97/26939	07/97	INTERNATIONAL				
	WO 01/21108	03/01	INTERNATIONAL				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AA	MEHTA ET AL., "ALL SEALED ENDOLEAKS ARE NOT THE SAME: A TREATMENT STRATEGY BASED ON AN EX-VIVO ANALYSIS", EUR J VASC ENDOVASC SURG, VOL.21, P541, JUNE 2001
AB	"MICRO THERAPEUTICS' ONYX™ LIQUID EMBOLIC SYSTEM USED AS ADJUNCT TO STENT GRAFTS IN TREATING ABDOMINAL AORTIC ANEURYSMS", MICRO THERAPEUTICS INC, FOUND @ <a href="http://www.microtherapeutics.com/PR000330.HTM">HTTP://WWW.MICROTHERAPEUTICS.COM/PR000330.HTM</a>
AC	OHKI ET AL., "TREATMENT STRATEGY FOR ENDOLEAKS BASED ON EXPERIMENTAL AND CLINICAL ANALYSES", (ONLY AVAIL. INFO)
AD	MOHAN ET AL., "RISK FACTORS FOR ENDOLEAK AND THE EVIDENCE FOR STENT-GRAFT OVERSIZING IN PATIENTS UNDERGOING ENDOVASCULAR ANEURYSM REPAIR", EUR J VASC ENDOVASC SURG, VOL.21, P344, APRIL 2001
AE	SCHIE ET AL., "SUCCESSFUL EMBOLIZATION OF PERSISTENT ENDOLEAK FROM A PATENT INFERIOR MESENTERIC ARTERY", J ENDOVASC SURG, VOL.4, P312, 1997
AF	WHITE ET AL., "ENDOLEAK AS A COMPLICATION OF ENDOLUMINAL GRAFTING OF ABDOMINAL AORTIC ANEURYSMS", J ENDOVASC SURG, VOL.4, 152, 1997
AG	ZOLLIKOFER ET AL., "THERAPEUTIC BLOCKADE OF ARTERIES USING COMPRESSED IVALON", DIAGNOSTIC RADIOLOGY, VOL.136, P635, SEPTEMBER 1980

EXAMINER

DATE CONSIDERED

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Include copy of this form with next communication to the applicant.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Robert F. Rosenbluth, et al.	)	Art Unit:	To Be Determined
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Application No.: To Be Determined	)	Examiner:	To Be Determined
	)		
Filed: December 1, 2003, Herewith	)		
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For: Methods, Materials and Apparatus For	)		
Deterring or Preventing Endoleaks Following	)		
<u>Endovascular Graft Implantation</u>	)		

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR SECTION 1.97**

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

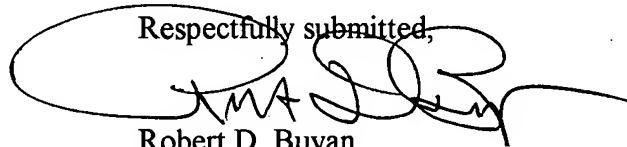
Pursuant to 37 CFR Section 1.97 applicant hereby discloses the documents listed on the form PTO-1449 enclosed hereto. Copies of the disclosure documents are enclosed herewith for the Examiner's review.

No representation is made that the references disclosed herein legally constitute prior art, or that more relevant references are not available. The disclosed references are printed in the English language and/or accompanied by an Abstract published in the English language.

The disclosed references, when taken alone or in combination, are not believed to disclose nor make obvious the invention as claimed in the subject application.

As this Information Disclosure Statement is being submitted prior to three (3) months from the filing date of the application and before the mailing of a first Office Action on the merits, it is believed that no fee is required. Fee is properly deemed to be due in connection with this filing, the Commissioner is authorized to deduct such fee from Deposit Account No. 50-0878.

Respectfully submitted,



Robert D. Buyan  
 Registration No. 32,460

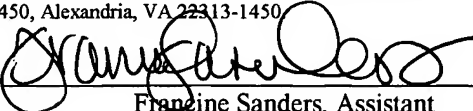
Dated: December 1, 2003  
 4 Venture, Suite 300  
 Irvine, CA 92618

**CERTIFICATE OF MAILING**

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on December 1, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 1, 2003

By:



Francine Sanders, Assistant

Express Mail mailing label no. EV 330361187 US

Form PTO-1449		Docket Number (Optional) <b>MCRVT-029G</b>		Application Number <b>TBD</b>			
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)		Applicant <b>Rosenbluth et al.</b>					
		Filing Date <b>Herewith 12/1/03</b>		Group Art Unit <b>TBD</b>			
<b>U. S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	RULING DATE IF APPROPRIATE	
	US 2002/0026217 A1	2/28/02	Baker et al.				
	US 2002/0052643 A1	5/2/02	Wholey et al.				
	5,749,922	5/12/98	Slepian et al.				
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	6,015,431	1/18/00	Thornton et al.				
	6,152,943	11/28/00	Sawney				
	6,165,193	12/26/00	Greene, Jr. et al.				
	6,190,402 B1	2/20/01	Horton et al.				
	6,303,100 B1	10/16/01	Ricci et al.				
	6,475,466 B1	12/5/02	Ricci et al.				
	6,569,190 B2	5/27/03	Whalen, II et al.				
	6,602,261 B2	8/5/03	Greene, Jr. et al.				
	6,605,294 B2	8/12/03	Sawhney				
<b>FOREIGN PATENT DOCUMENTS</b>							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	<b>WO 99/39662</b>	<b>8/12/99</b>	<b>International</b>	<b>6</b>			
	<b>WO 99/59479</b>	<b>11/25/99</b>	<b>International</b>	<b>6</b>			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
<small>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.</small>							